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Human Rights Council

Thirtieth session

Agenda item 10

Technical assistance and capacity-building

Algeria (on behalf of the Group of African States): draft resolution

30/... Technical assistance and capacity-building to improve human rights in the Sudan

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007,

Taking note of the communiqué and report of 22 June 2015 of the African Union Peace and Security Commission concerning the situation in Darfur, and communiqué 539 of 25 August 2015 of the African Union in which it called on the Sudan to create a conducive environment for national dialogue,

Emphasizing that States have the primary responsibility for the promotion and protection of all human rights,

Welcoming the commitment of the Government of the Sudan to protect and promote human rights in the country,

Noting the developments taking place in the Sudan, and the record of the Government of the Sudan in the promotion and protection of human rights,

Welcoming the cooperation of the Government of Sudan in the visit held in May 2015 of the Special Rapporteur on violence against women, its causes and consequences, and the proposed visit in November 2015 of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights,

Welcoming also the implementation by the Government of the Sudan of the Child Act (2010), which provides protection for children, including the prohibition of child recruitment, and urging its full implementation,

Encouraging the efforts of the Government of the Sudan to implement the universal periodic review recommendations accepted by the Government,

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Noting the challenges that the Sudan still faces in conflict-affected areas, particularly in the States of Darfur, South Kordofan and Blue Nile,

Emphasizing the need to ensure that humanitarian access is available and assistance is provided to internally displaced persons,

1. *Welcomes* the work of the Independent Expert on the situation of human rights in the Sudan;

2. *Takes note* of the report of the Independent Expert submitted to the Human Rights Council at its thirtieth session;¹

3. *Also takes note* of the continued cooperation of the Government of the Sudan with the Independent Expert to enable him to fulfil his mandate, and of the Government's stated commitment to continue this cooperation;

4. *Encourages* the initiative of holding a comprehensive, inclusive national dialogue in the Sudan to achieve sustainable peace, and also encourages all Sudanese stakeholders to ensure a conducive environment for inclusive, transparent and credible dialogue;

5. *Takes note* of the assessment made by the Independent Expert that recommendations made by the previous mandate holder to all parties have largely remained unimplemented, and encourages all stakeholders to fulfil their pledges with regard to the release of political prisoners;

6. *Commends* the commitment and the effort of the Government to reinforce human rights education and to continue to incorporate human rights principles in the education system, and encourages the Government to enhance its efforts to implement the other portions of the National Plan for the Protection and Promotion of Human Rights (2013-2023);

7. *Notes with appreciation* the continued efforts made by the Government of the Sudan in combating human trafficking, including the enactment and implementation of the National Act on Combating Human Trafficking and Smuggling (2014), and in hosting a regional conference on trafficking in persons in Khartoum in late 2014, and encourages the Government, and regional and international partners to implement the Khartoum Process;

8. *Also notes with appreciation* the hosting by the Sudan of tens of thousands of refugees from neighbouring and regional countries;

9. *Encourages* the Government of the Sudan to further promote and protect the right to freedom of religion and belief, and in this respect to comply with its constitutional obligations and its obligations under the International Covenant on Civil and Political Rights;

10. *Expresses serious concern* at the excessive use of force, including the lethal shooting of demonstrators in September 2013 and March 2014, takes note of the record of the Government of the Sudan in investigating and prosecuting perpetrators, and calls upon the Government to institute an independent public inquiry and to refer its findings to the judiciary within its legal system to ensure justice and accountability related to those incidents;

11. *Takes note* of the investigation conducted by the Attorney General's office in relation to the incidents of September 2013, including deaths and property damages, and the referral of the findings to the judiciary to ensure justice and accountability;

¹ A/HRC/30/60.

12. *Stresses* that holding perpetrators accountable needs to be a foremost priority of the Government of the Sudan;
13. *Expresses concern* at reports of closure of some non-governmental organizations and restrictions on the media, pre- and post-publication censorship, seizure of newspapers, the banning of some journalists and violations of the rights to freedom of expression and freedom of association and of peaceful assembly;
14. *Urges* the Government of the Sudan to further its efforts for the promotion and protection of human rights, in particular to ensure freedom from arbitrary arrest and detention, and to respect the human rights of all individuals, including human rights defenders and members of civil society organizations;
15. *Condemns* any party's violations or abuses of international human rights and humanitarian law reported in the States of Darfur, South Kordofan and Blue Nile, including those involving sexual and gender-based violence, the indiscriminate bombing of humanitarian facilities, and the killing of civilians and humanitarian aid workers, and urges all parties to resort to peace;
16. *Urges* the Government of the Sudan to investigate allegations of human rights violations in the camps for internally displaced persons with a view to ending violations;
17. *Encourages* all parties to facilitate humanitarian access to populations in need of assistance, and encourages the Government of the Sudan to intensify its endeavours to address humanitarian needs in conflict-affected areas;
18. *Encourages* the Government of the Sudan to ratify international instruments as accepted by the Government in the universal periodic review process;
19. *Encourages* the commitment of the Government of the Sudan to comprehensive national legal reform initiatives in the Sudan, to further guarantee full compliance of the State with its constitutional and international human rights obligations, such as provisions of the Criminal Act (1991), including those which redefine the offence of rape and dissociate it from adultery and which introduce the offence of sexual harassment; the promulgation and implementation of the National Act on Combating Human Trafficking and Smuggling of Persons Act, the Anti-Corruption Act, the Act on the Rights of Persons with Disabilities; and the revision of the Press Act, the local state Community Protection Law, and the National Security Act;
20. *Urges* Member States, the United Nations High Commissioner for Human Rights, relevant United Nations agencies and other stakeholders to support the national efforts of the Government of the Sudan in accordance with the present resolution with a view to further improving the situation of human rights in the country by responding to the Government's requests for technical assistance;
21. *Requests* the Office of the High Commissioner, taking into account the recommendations of the Independent Expert, to provide technical assistance and capacity-building to the Government of the Sudan at its request on ways to improve the situation of human rights in the country with a view to providing support for the country to fulfil its human rights obligations, including specifically assistance with legal reforms under way in the country described in paragraph 19 above, so as to help reconcile those laws with the international obligations of the Sudan;
22. *Expresses deep concern* at the situation of human rights and security in conflict-related areas, particularly in the Darfur region and the States of Southern Kordofan and Blue Nile, and the profound negative impact of this on civilians, in particular women and children, and therefore encourages the Independent Expert to visit conflict zones,

which the Government of the Sudan will facilitate, as it has done with past visits by the Independent Expert in fulfilment of the mandate;

23. *Decides* to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for a period of one year under agenda item 10, to continue the engagement of the mandate holder with the Government of the Sudan to assess, verify and report on the situation of human rights with the view to make recommendations on technical assistance and capacity-building for addressing human rights in the country, considering a full range of information, including information presented by the Government and viewpoints by civil society, and other relevant stakeholders that would assist the mandate holder in the implementation of the mandate;

24. *Requests* the Independent Expert to present a report to the Human Rights Council for its consideration at its thirty-third session;

25. *Calls upon* the Government of the Sudan to continue its full cooperation with the Independent Expert and to continue to permit effective access to visit all areas of the country, and to meet with all relevant actors;

26. *Requests* the Office of the High Commissioner to provide all necessary financial and human resources support to the Independent Expert in the implementation of the mandate;

27. *Calls upon* the Government of the Sudan to continue to cooperate with the Office of the High Commissioner in the implementation of the present resolution;

28. *Decides* to consider this issue under agenda item 10.
